

Peter S. Winokur, Chairman
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**DEFENSE NUCLEAR FACILITIES
SAFETY BOARD**

Washington, DC 20004-2901



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MAR 05 2014

February 21, 2014

Freedom of Information Act Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW, MailCode 2822T
Washington DC 20460

Re: Defense Nuclear Facilities Safety Board - FOIA Request 13-16

Dear FOIA Coordinator:

The Defense Nuclear Facilities Safety Board (Board) received a Freedom of Information Act (FOIA) request on November 19, 2014, from Mr. Randy Seybold, WilmerHale LLP, in which he requested access to copies of records related to the Knolls Atomic Power Laboratory ("KAPL") and the Separations Process Research Unit ("SPRU"). A copy of the requestor's letter is attached.

During our search for records, we identified 60 pages of documents that originated with the U. S. Environmental Protection Agency. Therefore, according to the Board regulations at 10 C.F.R. § 1703.105(c), we are referring Mr. Seybold's request to your office for a review/release determination. We have advised the requester that he will receive a direct response from your office. Please copy me with your response to the requestor.

If you have any questions concerning this referral, please contact me at (202) 694-7088, or you may e-mail me at AndrewT@dnfsb.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Thibadeau".

Andrew Thibadeau
Designated FOIA Officer
Defense Nuclear Facilities Safety Board

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WILMERHALE

2013 NOV 19 PM 4: 08

November 13, 2013

P. Randolph Seybold

DNF SAFETY BOARD

Via Certified Mail

+1 202 663 6104(t)

+1 202 663 6363(f)

randy.seybold@wilmerhale.com

Information/FOIA Officer
Defense Nuclear Facilities Safety Board
625 Indiana Avenue NW, Suite 700
Washington, DC 20004

RE: Freedom of Information Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and corresponding regulations, as set forth at 10 C.F.R. Part 1004, we request the following items from the U.S. Defense Nuclear Facilities Safety Board ("DNFSB"):

1. For the period from January 1, 2008 through November 11, 2013, copies of any and all documents or other records in the possession, custody, or control of the DNFSB (or any DNFSB employees, agents, or other persons acting on DNFSB's behalf) that relate to any evaluation, assessment, classification, categorization, description, or discussion regarding the radioactive contamination present at either the Knolls Atomic Power Laboratory ("KAPL") or the Separations Process Research Unit ("SPRU") facilities located in Niskayuna, NY.
2. For the period from January 1, 2008 through November 11, 2013, copies of any and all documents or other records in the possession, custody, or control of the DNFSB (or any DNFSB employees, agents, or other persons acting on DNFSB behalf) that relate to any telephone conference calls or any other form of meeting, discussion or communication related to radiological waste/contamination, nuclear waste/contamination, and/or the KAPL or SPRU facilities and involving either the U.S. Department of Energy and/or the U.S. Environmental Protection Agency
3. Copies of any and all documents or other records in the possession, custody, or control of the DNFSB (or any DNFSB employees, agents, or other persons acting on DNFSB's behalf) that relate to any memorandum, report, white paper, assessment or analysis related, in whole or in part, to radiological waste/contamination, nuclear waste/contamination, and/or the KAPL or SPRU facilities.

The "documents or other records" sought in the requests above include all written records, records stored in a computer medium, audio or other recordings, transcripts, email, and any other non-identical documents in DNFSB's possession, custody, or control. These requests also seek such "documents or other records" regardless of whether or not they were created within the government or outside the government.

WILMERHALE

This request is in the "commercial" category and WilmerHale LLP is willing to pay all costs assessed in accordance with 10 C.F.R. § 1004.9. However, pursuant to 10 C.F.R. § 1004.9(a)(7), we request an estimate of anticipated fees prior to producing records if the estimated costs exceed \$250.

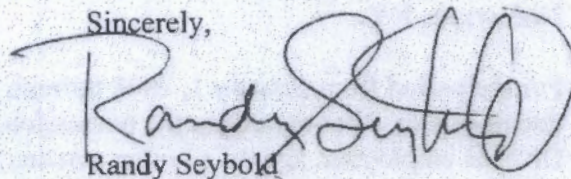
If the documents or records (or any portions thereof) are withheld under any FOIA exemptions, please provide me with a list of the documents or records withheld, the exemption invoked, and the reasons why a discretionary release of the exempt documents or records would not be appropriate. We look forward to receiving a response to this request within the 10 working days specified under 10 C.F.R. § 1004.5(d)(1).

Please send the requested information to:

Mr. Randy Seybold
WilmerHale LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006

If you have any questions concerning this request, please contact me at (202) 663-6104 or randy.seybold@wilmerhale.com. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Seybold", with a large, stylized circular flourish at the end.

Randy Seybold